

Message Text

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SUBJECT: 31ST UNGA: AGENDA ITEM 56 - G-77 DRAFT RESO-
LUTION ON UNCTAD IV

REF: A. USUN 5803

B. STATE 277588

C. USUN 5055

1. TEXT OF G-77 RESOLUTION CONTAINED IN REFTEL (A) IS AN
EXPANSION OF EARLIER PAKISTANI DRAFT AND REMAINS OBJECTION-
ABLE TO US OVERALL. UPDATED COMMENTS AND GUIDANCE ON EACH
PARAGRAPH FOLLOW. WE SUGGEST THAT USDEL, IN CONCERT WITH
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OTHER DELEGATIONS, TRY TO PERSUADE THE G-77 TO MODIFY THE
RESOLUTION ALONG LINES SUGGESTED BELOW.

2. THE FIRST SIX PREAMBULAR PARAGRAPHS ARE ACCEPTABLE.

USDEL SHOULD, HOWEVER, TRY TO DELETE PREAMBULAR PARAGRAPHS SEVEN AND EIGHT AS AN UNACCEPTABLE INTERPRETATION OF THE RESULTS OF UNCTAD IV. WHILE THE RESOLUTIONS OF UNCTAD IV DID NOT MEET ALL LDC DEMANDS, THEY REPRESENTED A POSITIVE STEP FORWARD IN THE CONTINUING NORTH/SOUTH DIALOGUE.

3. PARAGRAPHS 1 AND 2 ARE ACCEPTABLE.

4. PARAGRAPH 3 IS ACCEPTABLE WITH DELETION OF THE PHRASE "...AND NEGOTIATIONS...". THE CALENDAR FOR THE SERIES OF CONSULTATIONS ON INDIVIDUAL COMMODITIES MAKES NO PROVISION FOR NEGOTIATIONS ON INDIVIDUAL COMMODITIES. AS SET OUT IN PARAGRAPH 5, SECTION IV OF RESOLUTION 93 (IV), NEGOTIATIONS ON INDIVIDUAL COMMODITIES ARE TO BE CONVENED BY THE SYG"... AS AND WHEN REQUIRED..." "...AS SOON AS POSSIBLE AFTER THE COMPLETION OF EACH PREPARATORY MEETING...". NO PREPARATORY MEETING HAS BEEN COMPLETED, AND THUS NO DETERMINATION COULD HAVE BEEN MADE THAT NEGOTIATIONS WILL BE REQUIRED IN ANY OF THE COMMODITIES SCHEDULED FOR REVIEW IN THE UNCTAD FRAMEWORK.

5. PARAGRAPH 4 IS UNACCEPTABLE AS IT STANDS. THE ONLY LANGUAGE WE CAN ACCEPT ON PURCHASING POWER IS THAT CONTAINED IN THE CHAPEAU OF SECTION I OF RESOLUTION 93 (IV). (SEE PARAGRAPH 4 OF REFTEL B.)

6. PARAGRAPH 5 IS UNACCEPTABLE. TO CALL FOR CONTRIBUTIONS TO THE COMMON FUND PRIOR TO NEGOTIATION OF IT IMPLIES A DECISION ON THE FEASIBILITY AND NEED FOR SUCH A FUND, WHICH WE CANNOT AGREE TO. REQUIREMENTS FOR BUFFER STOCKS AND/OR OTHER MEASURES, THE SIZE AND COST OF ANY SUCH STOCKS, AS WELL AS THE FINANCING REQUIRED AND THE SOURCES OF SUCH FINANCING, CAN ONLY BE PROPERLY JUDGED AFTER DECISIONS AS TO THE NEED FOR THEM HAVE BEEN TAKEN ON INDIVIDUAL COMMODITIES.

7. PARAGRAPH 6 IS ACCEPTABLE IF THE PHRASE "...THE LIMITED OFFICIAL USE LIMITED OFFICIAL USE

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DEVELOPED..." IN THE FIRST LINE IS REPLACED BY "...ALL...", THE WORD "POSSIBLE" IS ADDED BEFORE "INTERNATIONAL NEGOTIATIONS," AND THE REFERENCE TO EXPEDITIOUS ACTIONS ON THE ESTABLISHMENT OF THE CF IS DROPPED IN ITS ENTIRETY (THE PARAGRAPH WOULD BE ACCEPTABLE IF IT ENDED AFTER THE WORD "...PRODUCTS..." ON THE SECOND LINE).

8. PARAGRAPH 7 IS SIMILAR TO PARAGRAPH 5 OF EARLIER RESOLUTION AND IS UNACCEPTABLE. COMMENTS ON EARLIER PARA 5 IN REFTEL (B) APPLY EQUALLY TO THIS PARAGRAPH.

9. PARAGRAPH 8 - THE US ABSTAINED AND MADE A STATEMENT OF

RESERVATIONS ON UNCTAD RESOLUTION 97 (IV) AND ACCORDINGLY CANNOT ENDORSE ITS EXECUTION. PARAGRAPH 1 OF THE RESOLUTION CALLED FOR A REORIENTATION OF THE ACTIVITIES OF TRANSNATIONAL CORPORATIONS (TNCS) TOWARD MORE COMPLETE MANUFACTURE IN DEVELOPING COUNTRIES; FOR STRENGTHENING THE PARTICIPATION OF NATIONAL ENTERPRISES OF DEVELOPING COUNTRIES IN ACTIVITIES OF TNCS IN THEIR TERRITORIES; FOR RULES TO CONTROL PRACTICES LIKELY TO AFFECT ADVERSELY THE TRADE OF DEVELOPING COUNTRIES IN MANUFACTURES AND SEMI-MANUFACTURES; AND FOR MEASURES WITH THE AIM OF BRINGING ABOUT GREATER CONTROL BY THESE COUNTRIES OVER THE PROCESSING MARKETING AND DISTRIBUTION OF THEIR MANUFACTURES AND SEMI-MANUFACTURES. THE US RECOGNIZES THAT TNCS SHOULD CONDUCT THEIR OPERATIONS IN ACCORDANCE WITH LOCAL LAWS AND TAKE ACCOUNT OF THE HOST GOVERNMENT'S DEVELOPMENT GOALS AND POLICIES. HOWEVER, NEW RESTRICTIONS DESIGNED TO "CONTROL" TNCS OR TO FORCE THEM TO "REORIENT" THEIR ACTIVITIES MAY DISSUADE THEM FROM MAKING INVESTMENTS WHICH THE LDCS WANT AND NEED. THE US DOES NOT OBJECT TO PARAGRAPHS 2 AND 3 OF RESOLUTION 97 (IV).

10. PARAGRAPH 9 IS SIMILAR TO PARAGRAPH 6 OF EARLIER DRAFT RESOLUTION AND OUR COMMENTS IN REFTEL (B) EQUALLY APPLY.

11. PARAGRAPH 10 WOULD BE ACCEPTABLE IF PHRASE "TO TAKE URGENT ACTION IN THIS REGARD" WERE DELETED AND REPLACED BY THE FOLLOWING PHRASE: "TO REVIEW THE ACTION TAKEN PURSUANT TO RESOLUTION 94 (IV)." (THIS CHANGE ALIGNS THE WORDING OF THE PARAGRAPH TO THE WORDING OF THE UNCTAD IV LIMITED OFFICIAL USE
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RESOLUTION.)

12. PARAGRAPH 11 - UNCTAD RESOLUTION 98 (IV) CONTAINS WORDING ON DEBT RELIEF FOR THE LEAST DEVELOPED WHICH, IN RETROSPECT, WE FIND PARTICULARLY OBJECTIONABLE. THE US DELEGATION, HOWEVER, WAS NOT APPRISED OF THIS WORDING DURING UNCTAD IV AND HENCE THE RECORD DOES NOT SHOW ANY USG RESERVATION ON THIS SCORE. ACCORDINGLY, IT APPEARS THAT WE ARE NOT IN A POSITION TO OBJECT FORMALLY TO THE WORDING OF PARAGRAPH 11 IN THIS REGARD, ALTHOUGH THE DEBT ISSUE BECAME A SOURCE OF CONTROVERSY AT THE OCTOBER TDB MEETING, WHERE WE SET THE RECORD STRAIGHT. TO MAINTAIN THIS RECORD, USDEL SHOULD MAKE THE FOLLOWING INTERPRETIVE STATEMENT ON PARAGRAPH 11 IN THE EVENT THAT WE JOIN A CONSENSUS TO APPROVE OR ABSTAIN ON THE ENTIRE RESOLUTION: QUOTE SECTIONS 10 (D), (E) AND (F) WERE REMITTED TO THE PERMANENT MACHINERY OF UNCTAD BECAUSE AGREEMENT COULD NOT BE REACHED UPON THEM AT NAIROBI. AFTER GIVING DUE CONSIDERATION ON A TOP PRIORITY BASIS TO THESE PROPOSALS AT THE 16TH SESSION OF THE TDB, THE U.S. (AND MOST GROUP B

COUNTRIES) CONCLUDED THAT MEASURES TO ALLEVIATE THE PROBLEMS OF THE LEAST DEVELOPED COUNTRIES, INCLUDING THEIR DEBT BURDEN, CAN ONLY BE ADDRESSED IN THE CONTEXT OF THE OVERALL FINANCIAL SITUATION FACED BY THESE COUNTRIES. THUS, THE UNITED STATES (AND MOST OTHER DEVELOPED COUNTRIES) FINDS ITSELF (FIND THEMSELVES) UNABLE TO ACCEPT THE PROPOSALS IN THE RESOLUTION 98 (IV), PARA 10 (D), (E) AND (F).
END QUOTE.

13. PARAGRAPH 11 ALSO CONTAINS A MISSTATEMENT CONCERNING THE LANGUAGE OF UNCTAD RESOLUTION 98 (IV) WHICH YOU SHOULD SEEK TO CORRECT BOTH FOR THE SAKE OF ACCURACY AS WELL AS FOR POLICY CONSISTENCY. THIS DRAFT RESOLUTION DOES NOT DRAW THE DISTINCTION MADE AT UNCTAD--AFTER A CONSIDERABLE FIGHT--BETWEEN "SPECIAL MEASURES" FOR THE LEAST DEVELOPED AND "SPECIFIC ACTIONS" FOR THE LAND-LOCKED AND ISLAND COUNTRIES. PARAGRAPH 11 SPEAKS ONLY OF "SPECIAL MEASURES" FOR ALL, WHICH WAS THE INITIAL OBJECTIVE OF THE DEVELOPING COUNTRIES AT UNCTAD. THE DISTINCTION MAY APPEAR STRAINED, BUT THAT FACT REMAINS THAT THE PHRASE "SPECIAL MEASURES" IMPLIES A CATEGORY OF ASSISTANCE MORE SUBSTANTIAL, COMPREHENSIVE AND LONGER TERM THAN DOES "SPECIFIC ACTIONS", WHICH ARE BASICALLY AD HOC IN NATURE. THIS DISTINCTION NOT ONLY REFLECTS OUR DISCOMFIT WITH THE PROLIFERATION OF SPECIAL AID CATEGORIES BUT ALSO RECOGNIZES INDIRECTLY THAT THE "LEAST DEVELOPED" REPRESENTS THE PRIMARY AND ECONOMICALLY MORE VALID POINT OF REFERENCE. THE TERM, FOR EXAMPLE, WOULD COVER MANY OF THE ISLAND AND LAND-LOCKED WHO BY REASON OF THEIR PARTICULAR GEOGRAPHY ARE INDEED LEAST DEVELOPED: TO THIS EXTENT IT IS REDUNDANT TO SPEAK IN THE SAME TERMS WHEN ADDRESSING THE PROBLEMS OF LEAST DEVELOPED, LAND LOCKED, ISLAND COUNTRIES OR FOR THAT MATTER ANY OTHER COUNTRY WITH A PECULIAR GEOGRAPHY. IN THIS LAST REGARD THE POSSIBILITIES ARE INFINITE (E.G. MOUNTAIN STATES, DESERT STATES, JUNGLE STATES) AND COULD LEAD TO AN ALMOST ABSURD MULTIPLICATION OF SPECIAL CATEGORIES.

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HENSIVE AND LONGER TERM THAN DOES "SPECIFIC ACTIONS", WHICH ARE BASICALLY AD HOC IN NATURE. THIS DISTINCTION NOT ONLY REFLECTS OUR DISCOMFIT WITH THE PROLIFERATION OF SPECIAL AID CATEGORIES BUT ALSO RECOGNIZES INDIRECTLY THAT THE "LEAST DEVELOPED" REPRESENTS THE PRIMARY AND ECONOMICALLY MORE VALID POINT OF REFERENCE. THE TERM, FOR EXAMPLE, WOULD COVER MANY OF THE ISLAND AND LAND-LOCKED WHO BY REASON OF THEIR PARTICULAR GEOGRAPHY ARE INDEED LEAST DEVELOPED: TO THIS EXTENT IT IS REDUNDANT TO SPEAK IN THE SAME TERMS WHEN ADDRESSING THE PROBLEMS OF LEAST DEVELOPED, LAND LOCKED, ISLAND COUNTRIES OR FOR THAT MATTER ANY OTHER COUNTRY WITH A PECULIAR GEOGRAPHY. IN THIS LAST REGARD THE POSSIBILITIES ARE INFINITE (E.G. MOUNTAIN STATES, DESERT STATES, JUNGLE STATES) AND COULD LEAD TO AN ALMOST ABSURD MULTIPLICATION OF SPECIAL CATEGORIES.

14. PARAGRAPH 12 - COMMENTS IN REFTEL (B) ON PARAGRAPH 8 OF EARLIER DRAFT APPLY TO THIS PARAGRAPH AS WELL. IN ADDITION, WE PROPOSE THE FOLLOWING SPECIFIC REVISION OF LANGUAGE DEALING WITH THE 0.7 PERCENT TARGET: "ENDORSES RESOLUTION 150 (XVI) OF THE TRADE AND DEVELOPMENT BOARD ON THE TRANSFER OF REAL RESOURCES TO DEVELOPING COUNTRIES AND TAKES NOTE OF THE STATEMENTS OF INTERPRETATION AND RESERVATION MADE BY SOME PARTICIPANTS; AND CONSEQUENTLY URGES ALL DEVELOPED AND DEVELOPING COUNTRIES IN A POSITION TO DO SO WHICH ACCEPT THE TARGETS SPECIFIED THEREIN TO FULFILL THEIR EXISTING COMMITMENTS." WITH INCLUSION OF OUR

PROPOSED REFERENCE TO RELEVANT INTERPRETATIONS AND RESERVATIONS, THE BALANCE OF THIS PARAGRAPH WOULD BE ACCEPTABLE, WITH THE EXCEPTION OF THE DISCUSSION OF ACCESS TO CAPITAL MARKETS. THE LANGUAGE HERE IS UNCOMFORTABLY VAGUE AND STRAYS TOO FAR FROM THE CAREFULLY WORDED LINES OF THE TDB RESOLUTION. ACCORDINGLY, YOU SHOULD SEEK TO SUBSTITUTE THE FOLLOWING WORDING: "SUPPORT THE EFFORTS OF THE IMF/IBRD DEVELOPMENT COMMITTEE WORKING GROUP ON ACCESS TO CAPITAL MARKETS TO FIND THE MOST APPROPRIATE MECHANISMS FOR FACILITATING CAPITAL MARKET ACCESS."

15. PARAGRAPH 13 IS SIMILAR TO PARAGRAPH 9 OF EARLIER DRAFT AND REMAINS UNACCEPTABLE. SEE GUIDANCE FOR PARA 9 IN LIMITED OFFICIAL USE
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REFTEL ;B).

16. PARAGRAPH 14 IS ACCEPTABLE.

17. PARAGRAPH 15 - USDEL SHOULD TAKE A FIRM POSITION THAT THIS PARAGRAPH BE AMENDED AS FOLLOWS: (A) IN LINE FOUR, DELETE THE WORDS "OF PLENIPOTENTIARIES." (B) IN LINE SIX AFTER GROUP OF EXPERTS, SUBSTITUTE THE FOLLOWING PHRASE: "AND TO TAKE ALL DECISIONS NECESSARY FOR THE ADOPTION OF THE FINAL DOCUMENT EMBODYING THE CODE OF CONDUCT FOR TRANSFER OF TECHNOLOGY." AT NAIROBI THE G-77 PROPOSAL FOR A PLENIPOTENTIARY CONFERENCE WAS DEBATED AT GREAT LENGTH. THE U.S. AND GROUP B (WEO) COUNTRIES TOOK A FIRM POSITION THAT SUCH A CONFERENCE SUGGESTS NEGOTIATIONS ON AND ADOPTION OF A TREATY OR CONVENTION. WE ARE STRONGLY AND UNANIMOUSLY OPPOSED TO A LEGALLY BINDING INSTRUMENT IN THIS FIELD, AND THUS INSISTED ON AND OBTAINED DELETION OF THE WORD "PLENIPOTENTIARY." OUR SECOND SUGGESTED CHANGE INVOLVES INSERTING LANGUAGE FROM RESOLUTION 89 (IV). THIS WORDING WAS CAREFULLY FORMULATED AT NAIROBI SO AS TO INCLUDE THE POSSIBILITY THAT THE UNGA MAY, FOR EXAMPLE, SIMPLY PASS A RESOLUTION WHICH PROMULGATES GUIDELINES FOR TRANSFER OF TECHNOLOGY. THIS EVENTUALITY WAS RAISED IN THE GROUP B STATEMENT OF INTERPRETATION OF RESOLUTION 89 (IV).

18. PARAGRAPH 16 IS ACCEPTABLE, WITH THE FOLLOWING EXCEPTION. RESOLUTION 88 (IV) ON INDUSTRIAL PROPERTY REFERS TO THE IMPORTANT CONTRIBUTION OF UNCTAD ON THE COMMERCIAL, ECONOMIC AND DEVELOPMENTAL ASPECTS OF INDUSTRIAL PROPERTY. IT IS RECOGNIZED THAT WIPO HAS PRIME RESPONSIBILITY IN THIS FIELD, INCLUDING REVISION OF THE PARIS CONVENTION. THEREFORE, THE USDEL SHOULD FIRMLY SEEK THE FOLLOWING CHANGE: AFTER INDUSTRIAL PROPERTY, IN LINE 4, SUBSTITUTE: "INCLUDING THE IMPORTANT CONTRIBUTIONS OF UNCTAD TO THE ONGOING WORK OF WIPO IN THIS FIELD".

19. PARAGRAPH 17 - RESOLUTION 90 (IV) DID NOT CALL FOR STRENGTHENING UNCTAD, BUT FOR INCREASING ITS EFFECTIVENESS WITHIN ITS PRESENT MANDATE WHICH WAS FOUND AT UNCTAD IV TO BE SUFFICIENTLY BROAD AND STRONG. USDEL SHOULD THEREFORE SUGGEST REPLACING THE WORD "STRENGTHEN" WITH QUOTE LIMITED OFFICIAL USE LIMITED OFFICIAL USE

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INCREASE THE EFFECTIVENESS OF END QUOTE, WHICH ARE THE WORDS ACTUALLY USED IN PARAGRAPH 1(B) OF SECTION I OF RESOLUTION 90 (IV). USDEL SHOULD ALSO TRY TO DELETE THE LATTER PORTION OF PARAGRAPH 17 FOLLOWING THE WORD IMPLEMENTATION, AND INSERT THE FOLLOWING MORE BALANCED LANGUAGE FROM THE SAME PARAGRAPH OF RESOLUTION 90 (IV): "IN THE FIELD OF INTERNATIONAL TRADE AND RELATED ISSUES OF INTERNATIONAL ECONOMIC COOPERATION, TO PLAY A MAJOR ROLE IN THE IMPROVEMENT OF THE CONDITIONS OF INTERNATIONAL TRADE, THE ACCELERATION OF THE GROWTH OF THE WORLD ECONOMY, INCLUDING IN PARTICULAR THE ECONOMIC DEVELOPMENT OF THE DEVELOPING COUNTRIES, AND THE REALIZATION OF THE OBJECTIVES OF GENERAL ASSEMBLY RESOLUTIONS 3201 (S-VI), 3202 (S-VI), 3281 (XXIX) AND 3362 (S-VII)."

20. PARAGRAPH 18 IS ACCEPTABLE.

21. PARAGRAPH 19 IS SIMILAR TO PARAGRAPH 14 OF EARLIER DRAFT AND REMAINS UNACCEPTABLE. OUR COMMENTS ON THE EARLIER PARA 14 EQUALLY APPLY TO THIS LATER VERSION. USDEL SHOULD WORK WITH THE WEOS (ESPECIALLY CANADA, UK, AND FRG) AND JAPAN TO DELETE THIS PARAGRAPH, SINCE THESE COUNTRIES WORKED CLOSELY WITH US AT THE OCTOBER TDB MEETING TO TRY TO ENSURE THAT THE NEW ECDC COMMITTEE NOT BE USED FOR THIS PURPOSE. TURKEY AND OTHER LDCS WHICH ARE NOT MEMBERS OF THE G-77 OR THE NON-ALIGNED MOVEMENT MIGHT ALSO PLAY A HELPFUL ROLE ON THIS ISSUE.

22. PARAGRAPHS 20 AND 21 ARE ACCEPTABLE.

23. PARAGRAPH 22 IS AN EXPANSION OF PARAGRAPH 10 OF EARLIER DRAFT, AND OUR COMMENTS ON THE EARLIER DRAFT PARAGRAPH WOULD APPLY TO THIS ONE AS WELL. ESSENTIAL PROBLEM HERE IS TO AVOID ENDORSING UNCTAD SYG'S REQUEST FOR ADDITIONAL RESOURCES PENDING REVIEW OF THIS QUESTION BY THE FIFTH COMMITTEE. USDEL MAY SUGGEST THE FOLLOWING ALTERNATIVE LANGUAGE: QUOTE CALLS ON THE FIFTH COMMITTEE TO CONSIDER THE EXTENT OF INCREASED RESOURCES FOR THE SECRETARIAT OF THE UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT RESULTING FROM THE DECISIONS OF THE FOURTH SESSION OF UNCTAD AND THE TASKS INITIALLY ASSIGNED IN THE LIMITED OFFICIAL USE LIMITED OFFICIAL USE

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1976-77 BIENNium, BEARING IN MIND THE NEED TO MAKE THE MOST EFFICIENT USE OF AVAILABLE RESOURCES. END QUOTE. IN DISCUSSING G-77 DRAFT, USDEL MAY POINT OUT THAT RESOLUTION 90 (IV) REQUESTED THE SYG OF UNCTAD TO CONSULT WITH THE SYG OF THE UN ON THE LEVEL OF RESOURCES REQUIRED BY UNCTAD AND ON WAYS AND MEANS OF INCREASING UNCTAD'S FLEXIBILITY IN BUDGETARY, FINANCIAL AND ADMINISTRATIVE MATTERS. THE SYG OF UNCTAD DID NOT PROVIDE SUFFICIENT INFORMATION ON THE RESULTS OF THESE CONSULTATIONS FOR THE 16TH SESSION OF THE UNCTAD TRADE AND DEVELOPMENT BOARD TO REACH ANY CONCLUSIONS ON GUIDELINES AND OBJECTIVES TO BE PURSUED WITH RESPECT TO FLEXIBILITY. USDEL MAY ALSO INDICATE THAT WHILE WE ARE PREPARED TO CONSIDER PROVIDING ADDITIONAL RESOURCES TO CARRY OUT SPECIFIC PROGRAMS OR TASKS, WE DO NOT THINK THAT ADDITIONAL RESOURCES WILL NECESSARILY BE NEEDED TO INCREASE THE EFFECTIVENESS OF UNCTAD.

24. PARAGRAPH 23 IS ACCEPTABLE.

25. PARAGRAPH 24 IS SIMILAR TO PARAGRAPH 15 OF THE EARLIER DRAFT. USDEL SHOULD SEEK TO MAKE CHANGES ALONG LINES SUGGESTED IN REFTEL (B). ROBINSON

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